

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION  
File No. 1:22-CV-478**

**HAYDEN SCOTT ROSE,**

**Plaintiff**

**v.**

**PRESQUE ISLE VILLAS  
CONDOMINIUM HOMEOWNERS  
ASSOCIATION, Inc., et al.,**

**Defendants**

**MOTION TO EXTEND TIME  
TO FILE DISPOSITIVE MOTION**

**NOW COMES** Plaintiff, Hayden Scott Rose, by and through Counsel, and pursuant to F. R. Civ. P. Rule 6(b) and LCvR 6.1, respectfully moves this Court to extend time 7 days, up to and including April 3, 2023, for Plaintiff to file a Motion for Summary Judgment. In support of this motion, the Plaintiff shows this Court the following:

1. Because of the extensive amount of discovery in this case, and because of delays in the discovery process, the parties completed discovery on March 2, 2023.
2. The Deadline for filing dispositive motions is March 27, 2023.
3. Therefore, Plaintiff requests an extension of 7 days, up to and including April 3, 2023, to respond to the Defendants' motion.
4. This motion is not made for the purpose of dilatory practice.
5. This motion is made pursuant to Rule 6(b)(1)(A) which states in relevant part, "When an act may or must be done within a specified time, the court may, for good cause, extend the time with \*\*\* motion \*\*\* is made, before the original time or its extension expires."
6. Additionally, Plaintiff's counsel drafted a notice of intent to file a dispositive motion. This notice was never filed with the Court and counsel cannot see why it is not part of the Court's docket the Court, but it is counsel's recollection that it was attempted. However, Counsel for

all Defendants have been notified and have agreed to the extension requested in this motion.

The Plaintiff requests that such consent might obviate the notice requirement.

7. Counsel for all parties conferred on this motion and all Defendants have consented to the requested relief.

**WHEREFORE**, the Plaintiff respectfully moves this Court to extend the Plaintiff's time to respond ten days, up to and including April 3, 2023, and such other and further relief as may be necessary, just, and proper.

**TODAY** is March 27, 2023.

**COLLUM & PERRY**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was filed electronically via CM/ECF with the United States District Court, Middle District of North Carolina, with notification being sent electronically to all counsel of record.

**TODAY** is March 27, 2023.

**COLLUM & PERRY**

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